



TO: Chair Terry O'Brien and Board of Forestry and Fire Protection members
FROM: Executive Officer Tony Andersen, Board Counsel and Staff
DATE: August 2026
RE: Zone 0 Draft Regulations for full Board consideration

PURPOSE OF THIS MEMORANDUM

This memorandum provides information to the California Board of Forestry and Fire Protection (Board) on the final draft of the Zone 0 regulatory package, which will be presented to the Board for final consideration at its August 19, 2026 Board meeting. This memorandum provides summary background information and context in advance of this formal action in August.

At its June 16, 2026 meeting, the Board's Zone 0 Regulatory Advisory Committee (Advisory Committee) reviewed the draft rule package released in April 2026. Following discussion and consideration of public comments received throughout the rulemaking process, the Advisory Committee voted unanimously to forward the draft regulation to the full Board for consideration in August.

At the request of the Advisory Committee, staff prepared a technical review and clarification memorandum for the Board's review at its July 23, 2026, meeting. The final draft rule package is now before the Board for consideration on August 19, 2026.

Since the Advisory Committee forwarded the regulations in June, staff have made only limited technical, formatting, and conforming revisions to improve clarity and consistency. With the exception of changes to ensure alignment with current law, no major substantive amendments to the rule package have been made since the June 2026 version recommended by the Advisory Committee.

For more specific information on the rule package, please review the summary document and rule plead included in Board meeting materials.



BACKGROUND AND RULEMAKING SUMMARY

California continues to experience increasingly destructive wildfire seasons driven by extreme weather and a changing climate, accumulated fuels, and expanding development within fire-prone landscapes. While no single action can eliminate wildfire risk, reducing structure ignitions remains one of the most effective ways to protect lives, homes, and communities.

The proposed Zone 0 regulations represent one component of California's broader wildfire resilience strategy. By reducing combustible materials within the first five feet surrounding structures—where wind-driven embers most commonly accumulate and ignite homes—the regulations seek to reduce structure-to-structure fire spread while complementing existing defensible space requirements.

These regulations were developed through one of the Board's most extensive public rulemaking efforts in recent years, balancing statutory direction, wildfire science, practical implementation considerations, and extensive public input.

2025 Legislative Direction and Executive Action

Following the devastating Los Angeles wildfires in January 2025, state leaders accelerated efforts to strengthen community wildfire resilience and reduce residential structure loss.

Assembly Bill 3074 (2020), Senate Bill 504 (2024), Assembly Bill 1455 (2025), and Governor Newsom's Executive Order N-18-25 directed the Board to develop regulations establishing defensible space standards within the first five feet surrounding structures—commonly referred to as Zone 0—for specified fire-prone areas of California.

Collectively, these actions established both the policy direction and implementation timeline for the Board's rulemaking responsibilities while recognizing Zone 0, the “ember-resistant” zone, as an important element of California's broader wildfire resilience strategy.

Extensive Public Engagement and Rule Development

Since initiation of the rulemaking process, the Board has emphasized an open, transparent, and iterative public process designed to ensure that the proposed regulations are informed by both the best available fire science and the practical realities faced by California homeowners and communities.



Over approximately fifteen months, Board staff and Advisory Committee members conducted nearly twenty public workshops, town halls, conference presentations, community meetings, and stakeholder briefings throughout California. Additional engagement has included field visits, neighborhood walking tours, review of emerging fire science and post-fire research, consultation with technical experts, and extensive opportunities for written and oral public comment. Engagement has included homeowners, local governments, fire agencies, environmental organizations, utility representatives, tribal governments, professional associations, landscape professionals, researchers, and members of the public.

Throughout this process, draft rule text, committee agendas, staff memos and summaries, and proposed revisions were made publicly available prior to Advisory Committee meetings, allowing interested parties multiple opportunities to review, comment upon, and help shape the evolving regulations.

Public participation substantially informed the development of the proposed regulations now before the Board.

Evolution of Draft Regulations

The draft Zone 0 regulations presented for Board consideration reflect numerous refinements made throughout the public rulemaking process.

As public input and technical review continued, staff revised various provisions to improve clarity, increase implementation flexibility, better distinguish between combustible and maintained vegetation, clarify treatment expectations for trees and fences, establish phased implementation for existing structures, and recognize the need for local variation where jurisdictions can demonstrate substantially similar fire protection outcomes.

Many of these revisions responded directly to questions and recommendations raised during Advisory Committee meetings and public engagement events. Collectively, these changes reflect the Board's continued commitment to developing regulations that create safer communities and are scientifically defensible, practically implementable, and responsive to the diversity of California's communities while remaining faithful to the Legislature's statutory direction.

Where and When the Standards Would Apply

The proposed Zone 0 regulations would apply within State Responsibility Areas and Very High Fire Hazard Severity Zones located within Local Responsibility Areas.



The regulations would require property owners to reduce combustible materials within the first five feet surrounding structures while allowing limited, well-maintained vegetation and trees under specified conditions intended to reduce ignition risk.

The standards would apply immediately to new construction while providing phased implementation of five years for existing structures.

Consistent with statutory direction, local jurisdictions may adopt alternative standards that provide substantially similar practical effects while accounting for local conditions, including topography, building patterns, fire behavior, emergency response capability, and other relevant factors.

In response to numerous public comments, Staff will also add language to the 2026 Guidance Document to align with the CWUI provisions related to new trees, to avoid confusion for homeowners.

Implementation, Next Steps, and Resources for Communities

Should the Board approve the proposed regulations on August 19, 2026, staff will promptly submit the emergency rulemaking package to the California Office of Administrative Law (OAL) for review pursuant to Assembly Bill 1455 (2025).

Under the emergency rulemaking process established by the Legislature, OAL will conduct an expedited review to determine whether the regulations satisfy requirements of the Administrative Procedure Act. Following completion of the required public comment period and approval by OAL, the regulations would become effective upon filing with the Secretary of State. Based on the anticipated review timeline, staff expects the regulations could become effective in September 2026.

Following adoption, the Board's work will transition from rule development to implementation. Staff will continue coordinating closely with CAL FIRE's Office of the State Fire Marshal, local governments, fire agencies, and partner organizations to support consistent statewide implementation.

Implementation efforts will include development of homeowner guidance, inspector resources, educational materials, frequently asked questions, outreach tools, and additional technical assistance intended to facilitate compliance throughout the phased implementation period.

As additional research becomes available regarding ember behavior, plant combustibility, and wildfire mitigation practices, the Board may periodically evaluate



both the regulations and associated guidance materials to ensure they continue reflecting the best available science and practical implementation experience.

Lastly, the recommended five-year implementation period provides additional time for homeowners, communities, and local governments to prepare for and implement Zone 0 while allowing existing and emerging resources to become available. A growing suite of financial assistance, technical guidance, and educational support is already available or under development through legislative initiatives, CAL FIRE grants and outreach programs, California's Climate Bond investments, local fire districts and Fire Safe Councils, insurance and community-based initiatives, and public-private partnerships. Together, these efforts are intended to help reduce implementation costs, increase public awareness, and support communities as they strengthen wildfire resilience over time.

CONCLUSION

Over the past fifteen months, the Board has undertaken an extensive, transparent, and collaborative rulemaking process to develop California's—and the nation's—first statewide Zone 0 policy. Through numerous public conversations, technical reviews, field engagement events, and iterative revisions, the proposed regulations for consideration have evolved to reflect statutory direction, current wildfire science, and practical implementation considerations requested by Californians across the state.

The draft regulations before the Board represent the culmination of this work. Should the Board approve the proposed package, California will take an important step toward reducing residential structure loss, strengthening community wildfire resilience, and providing homeowners with a practical framework for creating ember-resistant space around their homes.